



# Wards

## Legal Custody Wards

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### The following basic eligibility criteria applies:

- An unmarried child under age 21 to whom a managing conservator has been designated, who has been placed in legal custody of a member or former member as a result of an order of a court of competent jurisdiction in the United States (or a territory or possession of the United States) for at least 12 consecutive months may be eligible for full ID card benefits and privileges.
- Child is dependent on the member or former member for over one-half of his or her support and
- Child resides with the member or former member unless separated by the necessity of military service or to receive institutional care as a result of disability or incapacitation, and
- Is not a dependent of a member or former member under any other category.

### The following eligibility criteria and documentation requirements apply:

ELIGIBILITY CRITERIA	REQUIRED DOCUMENTATION
<p>1. Has not attained age 21 and,</p> <p>Is dependent on the sponsor for over one-half of his or her support or was at the time of the sponsor's death and,</p> <p>Resides with the member or former member unless separated by necessity of military service or to receive institutional care as a result of disability or incapacitation or under such other circumstances as the administering Secretary may by regulation prescribe and,</p> <p>Is not a dependent of a member or a former member under any other law.</p>	<p>Child's birth certificate and,</p> <p>Court order from a court of competent jurisdiction in the United States (or a territory or possession of the United States) placing the child in member or former member's custody for at least 12 consecutive months and,</p> <p>Sponsor certifies in block 89 that he or she is providing over 50 percent and that the child resides in the household. <b>EXCEPTION:</b> A dependency determination is required for initial issue and renewal of each ID card for wards of Navy, Air Force and Marine Corps members, see paragraphs <a href="#">20.10</a>, <a href="#">21.16</a>, and <a href="#">22.6</a>. <b>NOTE:</b> If card is lost or stolen, reissue ID card out to original expiration date. No new dependency determination is required. In the case of deceased sponsors, the dependency determination currently in effect or accomplished at the time of the member's death may be used for subsequent renewals. Surviving dependents of Air Force members must accomplish a dependency determination at the time of the sponsor's death.</p>

ELIGIBILITY CRITERIA	REQUIRED DOCUMENTATION
<p>2. Has attained age 21 and,</p> <p>Is incapable of self support because of a mental or physical incapacity that occurred while the person was a dependent of the member or former member and,</p> <p>Is dependent on the sponsor for over one-half of his or her support, or have been at the time of the sponsor's death.</p> <p>Child's birth certificate and, <i>Additional Documentation Requirements for Incapacitated Students:</i></p> <p>Resides with the member or former member unless separated by necessity of military service or to receive institutional care a result of disability or incapacitation or under such other circumstances as the administering Secretary may by regulation prescribe and,</p> <p>Is not a dependent of a member or a former member under any other law.</p>	<p>Child's birth certificate (if not enrolled in DEERS) and,</p> <p>Court order from a court of competent jurisdiction in the United States (or a territory or possession of the United States) placing the child in member or former member's custody for at least 12 consecutive months and,</p> <p>A current physician's statement (dated within 90 days of application) to include a medical sufficiency statement from a Military Treatment Facility (MTF) and, (see <a href="#">Attachment 26</a>).</p> <p>A current approved dependency determination (over 50 percent support) and,</p> <p>Statement from the Social Security Administration (SSA) certifying non-eligibility to Medicare, Part A, to continue eligibility to CHAMPUS/TRICARE benefits. <b>NOTE:</b> Do not require a statement from active duty dependents and those individuals listed in paragraph 7.1, as they remain eligible for CHAMPUS/TRICARE as a second payer.</p> <p><i>Additional Documentation Requirements for Incapacitated Students:</i></p> <p>A physician's statement as above but indicating the incapacitation occurred after the 21<sup>st</sup> birthday but before the 23<sup>rd</sup> birthday.</p> <p>A letter from the school registrar showing that the dependent was enrolled as a full-time student in an accredited institution of higher learning when the incapacitation occurred.</p>

ELIGIBILITY CRITERIA	REQUIRED DOCUMENTATION
<p>3. Has not attained age 23 and,</p> <p>Is enrolled full time in an institution of higher learning approved by the administering Secretary and,</p> <p>Is dependent on the sponsor for over one-half of his or her support, or was at the time of the sponsor's death and,</p> <p>Resides with the member or former member unless separated by necessity of military service or to receive institutional care a result of disability or incapacitation or under such other circumstances as the administering Secretary may by regulation prescribe and,</p> <p>Is not a dependent of a member or a former member under any other law.</p>	<p>Child's birth certificate (if not enrolled in DEERS) and,</p> <p>Court order from a court of competent jurisdiction in the United States (or a territory or possession of the United States) placing the child in member or former member's custody for at least 12 consecutive months and,</p> <p>Sponsor certifies in block 89 that he or she is providing over 50 percent and that the child resides in the household and, <b>EXCEPTION:</b> A dependency determination is required for initial issue and renewal of each ID card for wards of Navy, Air Force and Marine Corps members, see paragraphs 20.10., 21.16., and 22.6.</p> <p>A letter from the school registrar reflecting full time enrollment leading to an associates degree or higher and expected date of graduation.</p>

**Processing Procedures for Legal Custody Wards.** Take the action reflected in Table 4.11. when verifying eligibility for legal custody wards. (See paragraphs 20.10., 21.16., and 22.6. for processing procedures for wards of Navy, Air Force and Marine Corps members. Cross-servicing is not authorized):

**Table 4.11. Processing Procedures for Legal Custody Wards.**

STEP	ACTION
1	Review court order and birth certificate and other documents as appropriate (letter from registrar, physician's statement, etc.).
2	Complete a DD Form 1172. Refer to <a href="#">Attachment 2</a> for entitlements, <a href="#">Attachment 4</a> for MC effective date and expiration date, and <a href="#">Attachment 5</a> for documentation requirements.
3	List documents viewed in block 89.
4	Have sponsor certify residency and dependency in block 89. Incapacitated wards and students over age 21 require a dependency determination (over 50 percent support). ( <i>EXCEPTION:</i> A dependency determination is required for initial issue and renewal of each ID card for wards of Navy, Air Force and Marine Corps members. See paragraphs <a href="#">20.10.</a> , <a href="#">21.16.</a> , and <a href="#">22.6.</a> ).
5	Complete verification process and ensure sponsor reads Privacy Act information before signing the DD Form 1172.
6	Give the sponsor a copy of the DD Form 1172 if appropriate and advise application is good for 90 days from date of verification.
7	Batch process 1172 to the DSO (paragraph <a href="#">1.12.</a> ).

### Legal Custody After Death of Sponsor

**Note:** This information applies to widows or widowers who have legal custody or have adopted a child after the military sponsor's date of death.

ID card benefits and privileges are derived from a sponsor's affiliation with a military service. Dependents of deceased members remain eligible for ID card benefits and privileges (see AFI 36-3026(I), 20 Dec 02, Attachment 2) if their relationship with the sponsor was established prior to the date of sponsor's death. Children, who are subsequently adopted or become a legal ward of the sponsor's widow/widower, do not qualify for identification card entitlements. Widows/widowers cannot convey eligibility for entitlements.

### Other Wards

**Foster Children.** A child placed in custody of a military member or former member's home by a placement agency (with no intent to adopt) but not a court order, is eligible for commissary, exchange and MWR privileges only. Medical care is not authorized unless the child is placed in the home as a result of an order of a court as stated above.

**Pre-adoptive Children.** Pre-adoptive children placed in the home of a member or former member by a placement agency (recognized by the Secretary of Defense) on 5 October 1994 or later may be eligible for medical care if the criterias in Table 4.12. are met. For the purpose of this policy, an authorized placement agency in the United States (US) or a US territory, must be licensed for the purpose of adoption by the state or territory in which the adoption procedures will be completed. In all other locations, the appropriate Assistant Secretary of the Military Department concerned or an appropriate official to whom he or she has delegated approval authority must approve a request for recognition.

**Table 4.12. Eligibility Criteria and Required Documentation for Preadoptive Children.**

ELIGIBILITY CRITERIA	REQUIRED DOCUMENTATION
Has not attained age 21	Document from placement agency (recognized by the Secretary of Defense) in the US or a US territory licensed for the purpose of adoption and, Child's birth certificate.
Has not attained age 23 and is enrolled full time in an institution of higher learning approved by the administering Secretary and is, or was at the time of the member or former member's death, dependent on the member for over one-half of the child's support.	Document from placement agency (recognized by the Secretary of Defense) in the United States or a US territory licensed for the purpose of adoption and, Child's birth certificate and, Letter from school registrar certifying full time enrollment in a course of study leading to an associate degree or higher, and anticipated graduation date.

ELIGIBILITY CRITERIA	REQUIRED DOCUMENTATION
Is incapable of self-support because of a mental or physical incapacity that occurs while a dependent of a member or former member, and before attaining age 21 or 23, if enrolled full time in an institution of higher learning approved by the administering Secretary and,	Document from placement agency (recognized by the Secretary of Defense) in the United States or a US territory licensed for the purpose of adoption and, <b>NOTE:</b> Questions concerning validity of placement agency should be addressed to the installation legal office.
Is dependent on the sponsor for over one-half of his or her support, or was at the time of the sponsor's death.	<p>Child's birth certificate and,</p> <p><i>Additional Documentation Requirements for Incapacitated Students:</i></p> <p>A physician's statement as above but indicating the incapacitation occurred after the 21<sup>st</sup> birthday but before the 23<sup>rd</sup> birthday and,</p> <p>An approved dependency determination (over 50 percent support) from a Uniformed Service approval agency (see paragraph 4.7.) and,</p> <p>A current physician's statement and,</p> <p>A letter from the school registrar certifying full time enrollment in a course of study leading to an associate's degree or higher at the time incapacitation occurred if 21 but not yet 23.</p>

#### 4.17. ID Card Processing Procedures for Pre-Adoptive Children When Placement Agency is Within the U.S. or a U.S. Territory.

Process pre-adoptive children as reflected in Table 4.13.

**Table 4.13. Processing Procedures for Pre-Adoptive Children When Placement Agency is Within the U.S. or a U.S. Territory.**

STEP	ACTION
1	Review placement agency document, child's birth certificate and other documents as appropriate (letter from registrar, physician's statement, etc.).
2	Complete a DD Form 1172. Refer to <a href="#">Attachment 2</a> for entitlements, <a href="#">Attachment 4</a> for MC effective date and expiration date.
3	List documents reviewed in block 89.

  

STEP	ACTION
4	Have sponsor certify residency and dependency in block 89 to entitle child to full benefits and privileges for preadoptive children under age 21. Incapacitated children require a dependency determination (over 50 percent support). See <a href="#">Attachment 2</a> for entitlements and <a href="#">Attachment 3</a> for MC effective date and expiration date.
5	Complete verification process and ensure sponsor reads Privacy Act information before signing the DD Form 1172.
6	Give the sponsor a copy of the DD Form 1172, if appropriate and advise application is good for 90 days from date of verification.
7	Batch process the DD Form 1172 to the DSO (paragraph 1.12.).

#### 4.18. ID Card Processing Procedures for Pre-adoptive Children When Placement Agency Is Outside the United States or a United States Territory.

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Children placed in the home of a member or former member by a placement agency in any other location than listed in paragraph 4.17. must submit a request for recognition through the Service issuing activity. Requests will be forwarded through the appropriate Service channels and must be approved by the appropriate Assistant Secretary of the Military Department concerned or an appropriate official to whom he or she has delegated approval authority. Table 4.14. reflects information to assist in submitting a request for recognition: see Table 20.5. for Navy processing procedures and Table 21.8. for Air Force members.

**Table 4.14. ID Card Processing Procedures for Pre-adoptive Children when Placement Agency Is Outside of the U.S. or a U.S. Territory.**

STEP	ACTION
1	Review the approval letter provided by the Assistant Service Secretary concerned or an appropriate official to whom he or she has delegated approval authority and child's birth certificate. Process as <a href="#">Table 4.13.</a> reflects.
2	If there is no approval letter, forward the package through local legal office to determine legal sufficiency. For Army cases, the local Community and Family Support Center will work with the Information and Referral Service to determine if a Foreign Placement Agency is recognized by DoD.
3	If the local legal office finds the document legally sufficient, forward the package to the Command legal office for endorsement.
4	Forward to the command ID card office for processing to the Personnel project office when the Command legal endorsement is received.
5	The Personnel Project office will notify the servicing Personnel office and command in writing of the approval.
6	Notify the member to return to the issuing activity for verification and issue of the ID card if placement agency is approved.
7	Refer to criteria in paragraph <a href="#">4.16.</a> for completion of verification and issue of ID card.